

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

GLADYS M. HALE,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Case No. 4:06CV00069

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ORDER

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By: Jackson L. Kiser

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Senior United States District Judge

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On November 13, 2006, this Court entered an *Order* [6] referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and a recommended disposition. Motions for Summary Judgment were filed by both the Plaintiff and the Defendant. The Magistrate Judge filed his *Report and Recommendation* [16] on July 31, 2007. After a careful review of the entire record in this case and the *Objections* filed by Defendant, this Court **REJECTS** the Magistrate Judge's findings and recommendation.

Accordingly, it is this day ADJUDGED and ORDERED as follows:

1. The *Report and Recommendation* of the United States Magistrate Judge, filed July 31, 2007, is **REJECTED**.

2. For the reasons stated in the accompanying *Memorandum Opinion*, the Commissioner's final decision is hereby **AFFIRMED**, the Defendant's *Motion for Summary Judgment* is **GRANTED**, Plaintiff's *Motion for Summary Judgment* is **DENIED** and this case is hereby **DISMISSED** from the active docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge B. Waugh Crigler.

Entered this 12th day of October, 2007.

s/Jackson L. Kiser
Senior United States Magistrate Judge